

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SIMON FRAZIER and
LANCE ROUILLARD,

Defendant.

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8:06CR311

ORDER

This matter is before the court on defendant's unopposed MOTION TO EXTEND TIME IN WHICH TO FILE PRETRIAL MOTIONS [20] filed by Simon Frazier and Adoption of Co-Defendant's Motion to Extend Pretrial Motion Deadline [21]. Good cause being shown, I find that the motions should be granted. The defendants will be given an approximate 21-day extension. Pretrial Motions shall be filed by December 6, 2006.

IT IS ORDERED:

1. The MOTION TO EXTEND TIME IN WHICH TO FILE PRETRIAL MOTIONS [20] filed by Simon Frazier and Adoption of Co-Defendant's Motion to Extend Pretrial Motion Deadline [21] are granted. Pretrial motions shall be filed on or before **December 6, 2006**.

2. Defendants are ordered to file a waiver of speedy trial as soon as practicable.

3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between November 15, 2006 and December 6, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 17th day of November, 2006.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**